

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

CITY OF ROCHESTER, NEW YORK,  
ROSILAND BROOKS-HARRIS, CAPITAL  
MARKETS ADVISORS, LLC, RICHARD  
GANCI, AND RICHARD TORTORA,

Defendants.

22-CV-6273-EAW-MWP

**[PROPOSED] ORDER CONTINUING  
LITIGATION STAY**

WHEREAS, on May 30, 2024, at the request of the parties, the Court stayed this litigation for a period of 90 days for the parties to engage in settlement discussions [Dkt. No. 99];

WHEREAS, Plaintiff Securities and Exchange Commission (“SEC”) and Defendants City of Rochester, New York, and Rosiland Brooks-Harris (“City Defendants”) now have reached a settlement in principle, subject to the approval of the five SEC Commissioners and of the Court;

WHEREAS, the SEC is working through its process for the five SEC Commissioners to consider the proposed settlement with the City Defendants;

WHEREAS, the SEC and Defendants Capital Markets Advisors, LLC, Richard Ganci, and Richard Tortora (“CMA Defendants”) have engaged in settlement discussions and have requested a settlement conference with the Court;

WHEREAS, the Court has scheduled a settlement conference for October 16, 2024 [Dkt. No. 102]; and

WHEREAS, given the prospect of settlement, the parties wish to continue the stay of the litigation to avoid the substantial cost and resources of completing deposition discovery and taking expert discovery.

NOW THEREFORE, the parties propose the following stay of the litigation, which the Court **SO ORDERS**:

1. This litigation shall be stayed through and including October 18, 2024 except that (a) the SEC and CMA Defendants shall comply with the Court's Order regarding the October 16, 2024, settlement conference [Dkt. No. 102] and (b) the parties may file documents in support of any proposed settlement for the Court's consideration.
2. The parties shall file a proposed status report with the Court on or before October 18, 2024, updating the Court on settlement efforts and proposed next steps.

Dated: August 29, 2024

s/Marian W. Payson  
Hon. Marian W. Payson  
United States Magistrate Judge

We ask for this:

Dated: August 29, 2024

Respectfully submitted,

/s/ Eugene Hansen  
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New York and Rosiland Brooks-Harris*

*/s/ Robert Knuts*

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